

Opinion No. 40-3390

January 17, 1940

BY: FILO M. SEDILLO, Attorney General

TO: Mr. M. A. Romero, County Clerk, San Miguel County, Las Vegas, New Mexico.

{*131} I have been informed that there is some question as to whether or not the registration records of each county and precinct are public records. The registration records of each county and precinct are expressly declared to be public records.

Section 5 of Chapter 152, Session Laws of 1939, provides as follows:

"For use in the permanent registration of voters provided in this act and thereafter the registration records for each county and for each precinct and election district of a county shall substantially consist of record binders, having a built-in lock of substantial quality, operated {*132} by a corrugated key, to hold and protect the affidavits; such binders to be kept locked at all times when not being actually used by the county clerk, provided, however, that such record binders shall be public records."

A person may inspect public records in which he has an interest and the purpose does not seem to be improper. I believe that the citizens of the State of New Mexico have an interest in the registration records and as such they shall be entitled at all reasonable times to free access and to the examination of such records without charge.